

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/6/11
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

NYONG-SOON CHONG  
a/k/a "Soo Jung"

ORDER OF JUDICIAL  
REMOVAL

S2 10 Cr. 878 (KMW)

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Upon application of the United States of America, by Mark Lanpher, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of the defendant Nyong-Soon Chong, a/k/a Soo Jung (hereinafter "defendant"); upon the concurrence by the Department of Homeland Security; and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matters set forth therein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and citizen of South Korea.
3. The defendant entered the United States at or near Newark New Jersey on or about July 31, 1997 as a non-immigrant visitor with authorization to remain in the United States for a temporary period not to exceed one (1) year. She remained in the United States beyond one (1) year without authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in this Court for the offense of misprision of a felony, in violation of Title 18 U.S.C. Section 4.

5. A maximum sentence of three years imprisonment may be imposed for a violation of this offense.

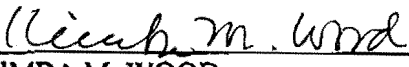
6. At sentencing, the defendant will be subject to removal under the Immigration and Nationality Act, Section 237(a)(1)(B) as amended 8 U.S.C. Section 1227(a)(1)(B) ("the Act"), in that she is present in the United States in violation of law for having remained in the United States for longer than permitted by her nonimmigrant visa. She is also subject to removal under Section 237(a)(2)(A)(ii) as amended 8 U.S.C. Section 1227(a)(2)(A)(ii) in that she is an alien convicted of two crimes involving moral turpitude not arising out of a single scheme of misconduct.

7. The defendant has waived any and all forms of relief from removal including but not limited to: voluntary departure, asylum, withholding of removal, adjustment of status, registry, de novo review of a denial or revocation of temporary protected status, cancellation of removal under section 240(A) of the Act, protection under Article Three of the Convention Against Torture or any other possible relief or waiver under the Immigration and Nationality Act.

8. The defendant has designated the country of South Korea for removal pursuant to Section 240(d) of the Act, as amended, 8 U.S.C. 1228(a).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(d) of the Immigration and Nationality Act, 8 U.S.C. Section 1228(d) (2010), that the defendant be removed from the United States promptly upon her release from confinement, and that the defendant be ordered removed to South Korea.

Dated: New York, New York  
April 5, 2011

  
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KIMBA M. WOOD  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK